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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Birkholz, et al. : Date: January 26, 2005
Group Art Unit: 2122 : IBM Corporation
Examiner: Nguyen : Intellectual Property Law
Serial No.: 09/912,975 : Dept. 917, Bldg. 006-1
Filed: July 25, 2001 : 3605 Highway 52 North
Title: METHOD AND APPARATUS
FOR AUTOMATING SOFTWARE
UPGRADES : Rochester, MN 55901

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTO/SB/08A be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with 37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Serial No. 09/912,975
Docket No. ROC920010108US1

- 1 -

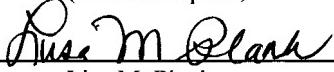
02/02/2005 HMARZI1 00000033 090465 09912975
01 FC:1806 180.00 DA

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(c) before a final action or notice of allowance. The filing fee of \$180.00 (for other than a small entity) is to be charged to our Deposit Account No. 09-0465.

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Respectfully submitted,

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Application Number.: 09/912,975
 Filing Date: July 25, 2001
 First Named Inventor: Birkholz
 Art Unit: 2122
 Examiner Name: Nguyen
 Attorney Docket Number.: ROC920010108US1

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	<u>Document Number</u> Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear
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